

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

USAA LIFE INSURANCE COMPANY,

Plaintiff,

v.

CAUSE No. 3:23-CV-393-CWR-LGI

COURTNEY McCABE and
DEBORAH TIEDEMANN,

Defendants.

ORDER

The parties are currently engaged in settlement negotiations regarding the McCabe children's entitlement to proceeds from their father's USAA life insurance policy. The children's mother, Courtney McCabe, also asserts a claim to proceeds from the same policy. The McCabe children and Mrs. McCabe are represented by the same counsel.

Federal Rule of Civil Procedure 17(c) empowers the Court to appoint a Guardian *Ad Litem* where a minor's legal representative is unable to act, refuses to act, or has interests that conflict with those of the minor. *See Susan R.M. by Charles L.M. v. Ne. Indep. Sch. Dist.*, 818 F. 2d 455, 458 (5th Cir. 1987). Given the above situation, it is appropriate to appoint a Guardian *Ad Litem* "to protect" and advocate for the best interests of the minor McCabe children in these settlement discussions. Fed. R. Civ. P. 17(c)(2); *see also* MISS. CODE ANN. § 43-21-121.

Accordingly, the Court appoints Charlene Priester, an attorney in good standing with the Mississippi Bar, to serve as the Guardian *Ad Litem* in this case. She has "authority to review all relevant documents concerning the minor child[ren] and to interview all parties

and witnesses involved in proceedings concerning the minor child[ren].” MISS. CODE ANN. § 43-21-121(5). Her “reasonable fee” will be paid at the conclusion of her work upon timely submission of an appropriate petition. *Id.* § 43-21-121(6).

SO ORDERED, this the 11th day of April, 2025.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE